

REMARKS

Prior to this Amendment, claims 1-103 were pending. By this Amendment, claims 1-28 and 92-103 have been canceled without prejudice to the Applicants' right to prosecute these claims in continuing applications. Therefore, following entry of this Amendment, claims 29-91 will be pending.

The Applicants thank the Examiner for indicating that claims 29-91 are free of the prior art.

The Information Disclosure Statement

The Applicants acknowledge that the Examiner has not considered the reference DE 198 58 588 and has considered only the abstract for the reference WO 95/32181 in view of the fact that the Applicants have not yet provided translations of these references. The Applicants do not choose to provide such translations at this time.

Objections to the specification

The specification has been amended at page 1, line 1, to add a reference to the priority document.

The specification has been amended to change the brackets on pages 25, 28, 29, and 31 to parentheses.

The Applicants hereby state that the blank space on page 26 is an inadvertent formatting error. It does not indicate that any material is missing from page 26. Therefore, the blank space should be ignored.

The specification has been amended so that the word “Taqman” has been capitalized to indicate its trademark status.

Claim objections

Claims 4, 6, 11, 14, 18, 20, 25, and 28 were objected to (Office Action, page 7, ¶ 15).

Claims 4, 6, 11, 14, 18, 20, 25, and 28 have been canceled. Therefore, it is believed this objection is moot.

The rejection under 35 U.S.C. §112

Claim 6 was rejected as being indefinite for recitation of the term “claim A5.”

Claim 6 has been canceled. Therefore, it is respectfully requested that this rejection be withdrawn.

The rejection under 35 U.S.C. §102(a)

Claims 1-3, 5-9, 12, 13, 15-17, 19, 23, 26, and 27 were rejected as being anticipated by Li et al., 2000, Nucleic Acids Research 28:e52(i-iv) (Li).

Claims 1-3, 5-9, 12, 13, 15-17, 19, 23, 26, and 27 have been canceled. Therefore, it is respectfully requested that this rejection be withdrawn.

The rejection under 35 U.S.C. §103(a)

Claims 7, 8, 10, 21, 22, and 24 were rejected as being obvious over Li in view of Battigello et al., 1995, Bioorg. Med. Chem. 3:839-849.

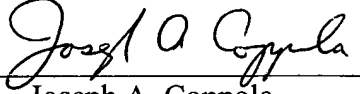
Claims 7, 8, 10, 21, 22, and 24 have been canceled. Therefore, it is respectfully requested that this rejection be withdrawn.

The time for responding to the Office Action was set for November 20, 2003. Enclosed herewith is a Petition for the Extension of Time under 37 C.F.R. § 1.136(a) for a period sufficient to permit the filing of this response and charge any corresponding fees to Kenyon & Kenyon's Deposit Account No. 11-0600.

The Applicants hereby make a Conditional Petition for any relief available to correct any defect seen in connection with this filing, or any defect seen to be remaining in this application after this filing. The Commissioner is authorized to charge Kenyon & Kenyon's Deposit Account No. 11-0600 for the Petition fee and any other fees required to effect this Conditional Petition.

Respectfully submitted,

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Date: FEB. 20, 2004